

products, things or substances under certain safeguards; providing that nothing in this Act shall authorize the Commissioner or the Department of Agriculture to expend money without the State of Texas, or to send employees without the State of Texas, or to employ persons without the State of Texas; providing the provisions of this Act shall apply solely to diseases, pests and infections common to citrus fruit; naming certain insect pests and plant diseases and declaring them public menaces; and prohibiting the movement of citrus trees or fruits from certain areas where such pests and diseases are known to exist; providing that the Commissioner of Agriculture shall issue certificates of inspection; prohibiting the movement of citrus nursery stock or citrus fruit without such certificate; providing certain exceptions; prohibiting the transportation of citrus nursery stock or citrus fruit originating without this State unless bearing a certificate of inspection of the State in which it originates; providing that transportation companies or common carriers shall not be liable for damages to the consignee or consignor for refusing to transport or deliver stocks, nursery stock or fruit when not accompanied by certificates; providing a penalty for the violation hereof; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 943, "An Act to amend Sections 1, 2, 3, 4, 6, 12, 21, 22, and to repeal Sections 5, 7, and 18 of an Act relating to the bonding and licensing of dealers in citrus fruit in the State of Texas and being House Bill No. 99 of the Acts of the Forty-fifth Legislature, as amended by Senate Bill No. 24 of the Acts of the First Called Session of the Forty-fifth Legislature; providing that nothing in this Act shall be construed as affecting the Anti-Trust Laws of this State, and should this Act in any manner affect said Laws, the entire Act shall fall and be held for naught; provid-

ing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

## SENT TO THE GOVERNOR

June 13, 1939

House Bill No. 180.  
House Bill No. 1098.  
House Bill No. 886.  
House Bill No. 181.  
House Bill No. 1060.  
House Bill No. 1021.  
House Bill No. 1110.  
House Bill No. 828.  
House Bill No. 1094.  
House Bill No. 1101.  
House Bill No. 1071.  
House Bill No. 1107.  
House Bill No. 1081.  
House Bill No. 1099.  
House Bill No. 907.  
House Bill No. 1118.  
House Bill No. 132.  
House Concurrent Resolution No. 188.  
House Concurrent Resolution No. 192.

## EIGHTY-THIRD DAY

(Wednesday, June 14, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bundy
Allen	Burkett
Allison	Burney
Alsup	Cauthorn
Anderson	Celaya
Bailey	Chambers
Baker	Clark
of Fort Bend	Cleveland
Bell	Cockrell
Blankenship	Coleman
Boethel	Colquitt
Bond	Colson, Mrs.
Boyd	Cornett
Boyer	Crossley
Bradbury	Daniel
Bradford	Davis of Jasper
Bray	Davis of Upshur
Bridgers	Dean
Broadfoot	Derden
Brown of Cherokee	Dickison
Brown	Dickson
of Nacogdoches	Donaghey

Dowell	McMurry
Dwyer	Mohrmann
Faulkner	Monkhouse
Felty	Montgomery
Ferguson	Morris
Fielden	Nicholson
Fuchs	Newell
Galbreath	Oliver
Gilmer	Pace
Goodman	Petsch
Gordon, Mrs.	Pevehouse
Hale	Piner
Hamilton	Pope
Hankamer	Ragsdale
Hardeman	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Harris	Roach
Hartzog	Roberts
Holland	Robinson
Howard	Russell
Howington	Segrist
Hull	Shell
Hunt	Skiles
Isaacks	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Spencer
Keith	Stinson
Kern	Stoll
Kerr	Talbert
Kennedy	Tarwater
Kersey	Taylor
Kinard	Tennant
King	Thornberry
Langdon	Thornton
Lehman	Turner
Leonard	Vale
Leyendecker	Vint
Little	Voigt
Lock	Waggoner
Loggins	Weldon
London	Wells
Mays	Westbrook
McAlister	White
McDaniel	Wilson
McDonald	Winfree
McNamara	Wood
McFarland	Worley
	Wright

Absent

Baker of Grayson Corry

Absent—Excused

Heflin Smith  
Schuenemann of Matagorda

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we come into Thy presence conscious of our weakness and sensible of our need. As we are beset and tossed about by waves of conflicting sentiment, wilt Thou bring the calm of clear conviction and the peace of pure purpose to our souls. Through Christ our Lord. Amen."

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Schuenemann for today, on motion of Mr. Shell.

Mr. Smith of Matagorda for today, on motion of Mr. Faulkner.

Mr. Heflin for today, on motion of Mr. Montgomery.

The following Member was granted leave of absence on account of illness:

Mr. Dwyer for Monday, Tuesday and Wednesday of this week, on motion of Mr. Anderson.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Smith of Frio:

H. B. No. 1141, A bill to be entitled "An Act creating a special road law for Frio County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of June 12th, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Brown of Nacogdoches:

H. B. No. 1142, A bill to be entitled "An Act providing that it shall be unlawful to molest, or kill wild deer in Nacogdoches County for a period of two (2) years from and after pas-

sage of this Act; providing a penalty; repealing laws insofar as they conflict with this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Hartzog asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1143.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hartzog:

H. B. No. 1143, A bill to be entitled "An Act to provide for the payment out of State funds of Old Age Assistance Pensions to certain citizens of the State of Texas who have attained the age of sixty-five (65) years to the extent of a maximum sum of Fifteen (\$15.00) Dollars monthly, supplemental by an equal amount of Federal aid in all cases where Federal regulations permit; to create a State Old Age Assistance Tax Fund by levying a tax on all citizens of the State of Texas between the ages of twenty-one (21) and sixty (60) years, inclusive; to impose a penalty for delinquent payments of such tax and to provide for monthly Old Age Assistance pensions for needy citizens of the State of Texas independent of the payment of said tax; to deny benefits to the heirs or assigns of contributors to the said State Old Age Assistance Tax Fund who die before attaining the age of sixty-five (65) years; to limit old age assistance from the said fund to persons who have been citizens of the State of Texas for ten (10) years prior to attaining the age of sixty-five (65) years excepting those who are citizens of this State at the time of the passage of this Act; to require the registration of all citizens of the State of Texas between the ages of twenty-one (21) and sixty (60) years inclusive; authorizing the existing Texas Old Age Assistance Commission to formulate and make effective rules and regulations not in conflict with the provisions of this Act for the allocation of all available funds for Old Age Assistance; making an appropriation for carrying the Act into effect, and declaring an emergency."

Referred to the Committee on State Affairs.

#### RELATIVE TO VOUCHERS OF INVESTIGATING COMMITTEES

Mr. Alsop offered the following resolution:

H. S. R. No. 318, Relative to vouchers of investigating committees.

Be it resolved by the House, That all vouchers issued by investigating committees created during the Regular Session of the Forty-sixth Legislature, be approved by the Chairman of the Contingent Expense Committee of the House.

The resolution was read second time, and was adopted.

#### PROVIDING FOR APPOINTMENT OF CERTAIN COMMITTEE

Mr. Coleman offered the following resolution:

H. C. R. No. 185, Providing for appointment of certain committee.

Whereas, The Legislature at each Regular Session is authorized to appoint a Board of Visitors who shall visit and attend the examinations and graduation exercises of the University of Texas and its branches as authorized in Article 2605 of Revised Statutes of State of Texas, 1925;

Whereas, There has been a demand that said Board of Visitors be appointed to attend said examinations and graduation exercises; be it

Resolved, That five (5) Members of the House of Representatives and five (5) Members of the Senate be appointed by the Speaker of the House and the President of the Senate respectively, and shall make such visitation at the earliest possible date and report back to the Legislature, if said Legislature is not in session, the report shall be made in the First Called Session thereafter or at the next Regular Session with its recommendation in accordance with its findings.

The resolution was read second time, and was adopted.

#### TO GRANT PERMISSION TO SUE THE STATE

Mr. Harrell of Lamar offered the following resolution:

H. C. R. No. 193, To grant Mrs. Woodie Spore permission to sue the State.

Whereas, It is alleged that on February 17, 1938, Mrs. Woodie Spore

suffered an injury while an employee of the State Highway Department; said injury having been caused by a fall while on duty, on a highly polished floor, and that she sustained a badly broken knee, severely torn ligaments, and the cartilage was torn from under the knee cap; and

Whereas, As a result of said injury, Mrs. Spore was compelled to have an operation, and long continued treatments were made necessary because of the injury to her knee; and

Whereas, The expense of such operation included doctors consultation, treatments, x-rays, ambulance, hospitalization, medicines, surgical supplies and service of nurses, together with incidentals, amounting to the sum of Six Hundred and Fifty-five Dollars and Forty Cents (\$655.40); and

Whereas, Mrs. Woodie Spore had, prior to such injury, been strong and well, and able to work for said State Highway Department, and able to provide for herself and family the necessities of life; and

Whereas, After said injury Mrs. Spore lost said employment, and in addition thereto, became indebted to the extent of Six Hundred and Fifty-five Dollars and Forty Cents (\$655.40) as hereinabove set out; and

Whereas, Mrs. Woodie Spore is a widow, having the responsibility of caring for herself and two dependent children; and

Whereas, She is desirous of paying said account as hereinabove set out; and

Whereas, Said injury came about through no fault or negligence of the said Mrs. Woodie Spore; and

Whereas, Said injury and its attendant inconveniences and expenses was due to the facts hereinabove set out; and

Whereas, It is thought that the said State Highway Department should be liable to reimburse Mrs. Woodie Spore to the extent of moneys actually expended or incurred because of such injury; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Mrs. Woodie Spore be granted permission to sue the State of Texas, and the Highway Department of the State of Texas, to establish her claim, and to recover by judgment all damages, if any, to which she may show herself entitled, and the costs of suit; and

that service of citation in such cause may be had either upon the Attorney General of Texas, or upon the Chairman of the State Highway Department, with the same force and effect as is made in civil cases; and that such process and service be returned, and that jurisdiction of said cause shall be in any District Court of Travis County, Texas, and it is so resolved.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

#### TO EXPRESS LEGISLATIVE INTENT IN REGARD TO SENATE BILL NO. 89

Mr. Westbrook offered the following resolution:

H. C. R. No. 194, To express legislative intent in regard to Senate Bill No. 89.

Whereas, Senate Bill No. 89 was passed by the Forty-sixth Regular Session of the Texas Legislature; and

Whereas, The Comptroller of Public Accounts of this State is in question as to the extent aid can be granted to the counties included in the provisions of said Act; now, therefore, be it

Resolved by the House of Representatives, and the Senate concurring, That it is hereby expressed that the intent of the Forty-sixth Legislature in conformity with the purpose for which said Act was passed, was that aid should be granted to each of said counties to reimburse for tax loss on the land purchased by the Federal Government, including county, school and road district tax levies, and it was not intended to be limited to the amount levied and collected by the respective counties for General Revenue purposes only.

WESTBROOK,  
RAGSDALE,  
LOGGINS,  
OLIVER,  
DAVIS of Jasper,  
LOCK.

The resolution was read second time, and was adopted.

#### TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 171, by Mr.

Petsch, To grant permission to sue the State.

The resolution having heretofore been read second time, and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended adoption of the resolution.

The resolution was then adopted.

#### TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 190, by Mr. Clark, To grant Mrs. V. E. Howard permission to sue the State.

The resolution having heretofore been read second time, and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

#### PROVIDING FOR TEXAS COMMISSION ON INTERSTATE COOPERATION

The Speaker laid before the House, for consideration, at this time, the following resolution:

S. C. R. No. 57, Providing for Texas Commission on Interstate Cooperation.

Whereas, Senate Bill No. 41 has been vetoed by the Governor, which bill was designed to cooperate with the Council of State Governments in interstate activities in the fashion of a model bill passed by forty-two other States; and

Whereas, The Governor made no objection to the purpose of said bill but felt that it would create a new State Department and necessitate an appropriation; and

Whereas, It is desirable for Texas to join with her sister States in activities designed to maintain a more perfect union, and at the same time eliminate the objections urged; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring:

Section 1. That there be established a Texas Commission on Interstate Cooperation to be composed of: (1) the five Members of the Senate Standing Committee on Interstate Cooperation, (2) the five Members of the House Standing Committee on In-

terstate Cooperation, and (3) a person or persons, not exceeding five, to be designated by the Governor, one of whom shall be designated by the Governor as Chairman of the entire Commission.

Sec. 2. The said Standing Committee of the Senate and the said Standing Committee of the House of Representatives shall function during the Regular Session of the Legislature and also during the interim periods between such Sessions; their members shall serve until their successors are designated; and they shall respectively constitute for the State the Senate Council and House Council of the American Legislators' Association. The incumbency of each other member of the Commission shall extend until his successor is appointed.

Sec. 3. It shall be the function of this Commission:

(1) To carry forward the participation of this State as a member of the Council of State Governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this State to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other States, of the Federal Government, and of local units of government.

(3) To endeavor to advance cooperation between this State and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating,

(a) The adoption of compacts,

(b) The enactment of uniform or reciprocal statutes,

(c) The adoption of uniform or reciprocal administrative rules and regulations,

(d) The informal cooperation of governmental offices with one another,

(e) The personal cooperation of governmental officials and employees with one another, individually,

(f) The interchange and clearance or research and information, and

(g) Any other suitable process.

(4) In short, to do all such acts as will, in the opinion of this Commission, enable this State to do its part, or more than its part, in forming a more perfect union among the various governments in the United States and in developing the Council

of State Governments for that purpose.

Sec. 4. The Commission shall establish such Delegations and Committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the Commission in obedience to its decisions. Subject to the approval of the Commission, the member or members of each such Delegation or Committee shall be appointed by the Chairman of the Commission. The Commission may provide such other rules as it considers appropriate concerning the membership and the functioning of any such Delegation or Committee. The Commission may provide for advisory boards for itself and for its various Delegations and Committees, and may authorize private citizens to serve on such boards.

Sec. 5. The Commission shall report to the Governor and to the Legislature within fifteen days after the convening of each Regular Legislative Session, and at such other times as it deems appropriate. Its members and the members of all Delegations and Committees which it establishes shall serve without compensation for such service.

Sec. 6. The Council of State Governments is hereby declared to be a joint governmental agency of this State and of the other States which cooperate through it.

Sec. 7. It is not the sense of this resolution that a new State Department or State or District Office be created.

The resolution was read second time, and was adopted.

#### GRANTING CERTAIN DISTRICT JUDGE PERMISSION TO BE ABSENT FROM THE STATE

The Speaker laid before the House, for consideration, at this time, the following resolution:

S. C. R. No. 62, To grant certain District Judge permission to be absent from the State.

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That F. P. Adams, Judge of the 1st Judicial District of Texas, be, and he is hereby granted permission to be absent from the State of

Texas, at such intervals and for such time as he may see fit and proper while his courts are in vacation during the years 1939 and 1940.

The resolution was read second time, and was adopted.

#### RELATIVE TO CERTAIN VENDING STAND IN CAPITOL BUILDING

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 17, Relative to certain vending stand in Capitol Building.

The resolution having heretofore been read second time and referred to the Committee on Public Lands and Buildings.

The Committee on Public Lands and Buildings having recommended the adoption of the resolution.

Mr. Kern submitted the following point of order:

Mr Speaker: I raise the point of order that Senate Concurrent Resolution No. 17 is out of order because it seeks to amend the statute by concurrent resolution. In support of this point of order we cite Article 665, Custodianship of State Property.

We quote: "The State Board of Control shall have charge of all public buildings, grounds and property of the State, and is the custodian of all public personal property, and is charged with the responsibility to properly care for and protect such property from damage, instruction, or improper usage . . ."

Senate Concurrent Resolution No. 17 seeks by its terms to transfer this authority from the Board of Control to a new commission composed of the Chairman of the Board of Control, the Executive Secretary of the Commission for the Blind, and the director of Vocational Rehabilitation of the State Department of Education. A careful reading of Articles 665, Custodianship of State Property; 667, Charge of Capitol; and 668, Use of Capitol for Private Purposes, leaves no doubt as to this authority being vested by a statute in the Board of Control, making it obvious that to change such would require a proper amendment and such could not be done by a concurrent resolution.

In further support of this point of order we cite specifically Article 668, which reads as follows: "No room, apartment or office in the State Cap-

itol Building shall be used at any time by any person as a bed room or for any private purposes whatever. This article shall not apply to the rooms occupied by the Judges of the Supreme Court and the Courts of Civil and Criminal Appeals on the third and fourth floors of the Capitol." We call particular attention to the language "for any private purposes whatever." No one would suggest that to allow a private person or concern to conduct a business for profit in the halls of the Capitol would not be a direct violation of this provision of the statute, and the repeal of such amendment could not be had by the passage of a concurrent resolution.

The Speaker sustained the point of order.

#### COMMUNICATION

The Speaker laid before the House, and had read, the following communication:

Stranger, Texas, June 10, 1939.  
House of Representatives, Austin, Texas.

Gentlemen: We greatly appreciate the resolutions you adopted on the 18th day of May in memory of our daughters, Carolyn and Barbara. The beautiful thought conveyed has made our sorrow much easier to bear, and the fact that you took time to do this was a consolation. It has been published in several papers, and many are the comments we have heard—"wonderful, beautiful, never read anything just like it, etc." The copy you sent us will be treasured through the remaining years of our lives.

Sincerely,

MR. AND MRS. SANFORD  
HANCOCK.

#### RELATIVE TO SENATE BILL NO. 462

Mr. Alsup moved that all necessary Rules be suspended, for the purpose of making a motion to reconsider the vote by which Senate Bill No. 462 was passed.

The motion to suspend the Rules prevailed by the following vote:

Yeas—124

Allen	Blankenship
Allison	Boethel
Alsup	Bond
Bailey	Boyd
Baker	Boyer
of Fort Bend	Bradford

Bray	Leyendecker
Bridgers	Little
Broadfoot	Lock
Brown of Cherokee	Loggins
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Cauthorn	McDonald
Celaya	McFarland
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colquitt	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Corry	Oliver
Crossley	Pace
Daniel	Petsch
Davis of Jasper	Piner
Davis of Upshur	Pope
Derden	Reader of Erath
Dickison	Reaves
Faulkner	Reed
Felty	Rhodes
Ferguson	Riviere
Fielden	Roach
Fuchs	Roberts
Galbreath	Robinson
Gilmer	Russell
Goodman	Segrist
Hale	Skiles
Hamilton	Smith of Frio
Hankamer	Smith of Hopkins
Hardeman	Spencer
Hardin	Stinson
Harp	Stoll
Harper	Talbert
Harrell of Bastrop	Tarwater
Harris	Taylor
Holland	Tennant
Howard	Thornberry
Howington	Thornton
Hunt	Turner
Isaacks	Vale
Johnson of Ellis	Vint
Keith	Waggoner
Kennedy	Weldon
Kern	Wells
Kerr	Westbrook
Kersey	White
King	Wilson
Langdon	Winfree
Lehman	Wood
Leonard	Wright

#### Absent

Anderson	Burney
Baker of Grayson	Dean
Bell	Dickson
Bradbury	Donaghey

Dowell	Pevehouse
Gordon, Mrs.	Ragsdale
Harrell of Lamar	Reader of Bexar
Hartzog	Shell
Hull	Voigt
Johnson of Tarrant	Worley
Kinard	

Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

Mr. Alsup then moved to reconsider the vote by which Senate Bill No. 462 was passed.

The motion to reconsider prevailed.

Mr. Alsup offered the following amendment to the bill:

Amend Senate Bill No. 462, by striking out from Section 1 thereof, the following: "from its members a Chairman."

The amendment was adopted by the following vote:

Yeas—123

Allen	Faulkner
Allison	Felty
Alsup	Ferguson
Bailey	Fielden
Baker	Fuchs
of Fort Bend	Galbreath
Blankenship	Gilmer
Boethel	Goodman
Boyd	Hale
Boyer	Hamilton
Bradford	Hankamer
Bray	Hardeman
Bridgers	Hardin
Broadfoot	Harp
Brown of Cherokee	Harper
Brown	Harrell of Bastrop
of Nacogdoches	Harris
Bundy	Holland
Burkett	Howard
Cauthorn	Howington
Celaya	Hunt
Chambers	Isaacks
Clark	Johnson of Ellis
Cleveland	Keith
Cockrell	Kennedy
Coleman	Kern
Colquitt	Kerr
Colson, Mrs.	Kersey
Cornett	King
Corry	Langdon
Crossley	Lehman
Daniel	Leonard
Davis of Jasper	Leyendecker
Davis of Upshur	Little
Derden	Lock
Dickison	Loggins

London	Russell
Mays	Segrist
McAlister	Skiles
McDaniel	Smith of Frio
McDonald	Smith of Hopkins
McFarland	Spencer
McMurry	Stinson
McNamara	Stoll
Mohrmann	Talbert
Monkhouse	Tarwater
Montgomery	Taylor
Morris	Tennant
Newell	Thornberry
Nicholson	Thornton
Oliver	Turner
Pace	Vale
Petsch	Vint
Piner	Waggoner
Pope	Weldon
Reader of Erath	Wells
Reaves	Westbrook
Reed	White
Rhodes	Wilson
Riviere	Winfree
Roach	Wood
Roberts	Wright
Robinson	

Absent

Anderson	Harrell of Lamar
Baker of Grayson	Hartzog
Bell	Hull
Bond	Johnson of Tarrant
Bradbury	Kinard
Burney	Pevehouse
Dean	Ragsdale
Dickson	Reader of Bexar
Donaghey	Shell
Dowell	Voigt
Gordon, Mrs.	Worley

Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

Senate Bill No. 462 was then passed by the following vote:

Yeas—123

Allen	Broadfoot
Allison	Brown of Cherokee
Alsup	Brown
Bailey	of Nacogdoches
Baker	Bundy
of Fort Bend	Burkett
Blankenship	Cauthorn
Boethel	Celaya
Boyd	Chambers
Boyer	Clark
Bradford	Cleveland
Bray	Cockrell
Bridgers	Coleman



Colquitt	McDonald
Colson, Mrs.	McFarland
Cornett	McMurry
Corry	McNamara
Crossley	Mohrmann
Daniel	Monkhouse
Davis of Jasper	Montgomery
Davis of Upshur	Morris
Derden	Newell
Dickison	Nicholson
Faulkner	Oliver
Felty	Pace
Ferguson	Petsch
Fielden	Piner
Fuchs	Pope
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed
Hale	Rhodes
Hamilton	Riviere
Hankamer	Roach
Hardeman	Roberts
Hardin	Robinson
Harp	Russell
Harper	Segrist
Harrell of Bastrop	Skiles
Harris	Smith of Frio
Holland	Smith of Hopkins
Howard	Spencer
Howington	Stinson
Hunt	Stoll
Isaacks	Talbert
Johnson of Ellis	Tarwater
Keith	Taylor
Kennedy	Tennant
Kern	Thornberry
Kerr	Thornton
Kersey	Turner
King	Vale
Langdon	Vint
Lehman	Waggoner
Leonard	Weldon
Leyendecker	Wells
Little	Westbrook
Lock	White
Loggins	Wilson
London	Winfree
Mays	Wood
McAlister	Wright
McDaniel	

## Absent

Anderson	Harrell of Lamar
Baker of Grayson	Hartzog
Bell	Hull
Bond	Johnson of Tarrant
Bradbury	Kinard
Burney	Pevehouse
Dean	Ragsdale
Dickson	Reader of Bexar
Donaghey	Shell
Dwyer	Voigt
Gordon, Mrs.	Worley

## Absent—Excused

Dowell	Smith
Heflin	of Matagorda
Schuenemann	

## SENATE BILL NO. 167 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 167, A bill to be entitled "An Act creating a School Land Board; defining its powers and prescribing its duties; providing regulations for the sale and lease of all lands set apart for the Permanent Free School Fund and several asylum funds, the mineral estate in river beds and channels, and the mineral estate in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea, and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Hankamer, pending.

On motion of Mr. Hankamer, the bill was laid on the table subject to call.

## SENATE BILL NO. 140 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to third reading,

S. B. No. 140, A bill to be entitled "An Act amending Section 6, House Bill 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature as amended by Section 5, House Bill No. 749, Chapter 240, General Laws of the Regular Session of the Forty-fourth Legislature; providing that recoveries under a motor fuel distributor's bond shall not exceed the penal sum thereof; providing that such bonds, if continuous in form, may be continued in effect by renewal certificates; providing for the repeal of all laws or parts of laws, and declaring an emergency."

The bill was read second time.

Mr. Celaya offered the following amendment to the bill:

Amend Senate Bill No. 140, by adding the following sentence at the end of Section (d):

"In the event the Comptroller shall arbitrarily or fraudulently cancel any permit under the provisions of this Act, the distributor may file suit in

any court of competent jurisdiction in the county of the residence of the distributor to have his permit reinstated, and shall be entitled under the rules of equity to have such arbitrary action enjoined, and in the event it shall appear that the permit was cancelled arbitrarily and without sufficient cause, the Comptroller shall be liable in damages for any injury suffered by the distributor as a result of such cancellation."

Mr. Stinson moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment by Mr. Celaya, it was lost.

Mr. Wood moved that further consideration of Senate Bill No. 140 be postponed until 10:30 o'clock a. m., tomorrow.

On motion of Mr. Stinson, the motion to postpone was tabled.

Senate Bill No. 140 was then passed to third reading.

#### SENATE BILL NO. 140 ON THIRD READING

Mr. Stinson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 140 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—118

Allison	Clark
Alsup	Cleveland
Anderson	Cockrell
Bailey	Colquitt
Baker	Colson, Mrs.
of Fort Bend	Cornett
Baker of Grayson	Crossley
Bell	Daniel
Blankenship	Derden
Boethel	Dickison
Boyd	Dickson
Boyer	Donaghey
Bradbury	Dowell
Bradford	Faulkner
Bridgers	Felty
Brown of Cherokee	Ferguson
Brown	Fielden
of Nacogdoches	Fuchs
Bundy	Galbreath
Burkett	Gilmer
Burney	Gordon, Mrs.
Cauthorn	Hale
Chambers	Hamilton

Hankamer	Nicholson
Hardeman	Oliver
Hardin	Pace
Harp	Petsch
Harper	Pevehouse
Harrell of Bastrop	Pope
Harrell of Lamar	Ragsdale
Harris	Reader of Erath
Holland	Reaves
Howington	Reed
Hunt	Rhodes
Isaacks	Riviere
Johnson of Ellis	Robinson
Johnson of Tarrant	Russell
Kennedy	Segrist
Kern	Shell
Kerr	Skiles
Kersey	Smith of Frio
Kinard	Smith of Hopkins
Langdon	Spencer
Lehman	Stinson
Leonard	Talbert
Leyendecker	Tarwater
Little	Taylor
Lock	Tennant
Loggins	Thornberry
London	Thornton
Mays	Turner
McAlister	Vale
McDaniel	Vint
McDonald	Waggoner
McFarland	Weldon
McMurry	Wells
Mohrmann	White
Montgomery	Winfree
Morris	Worley
Newell	Wright

#### Nays—11

Allen	McNamara
Bray	Roberts
Broadfoot	Stoll
Davis of Upshur	Wilson
Dean	Wood
Howard	

#### Absent

Bond	Keith
Celaya	King
Coleman	Monkhouse
Corry	Piner
Davis of Jasper	Reader of Bexar
Goodman	Roach
Hartzog	Voigt
Hull	Westbrook

#### Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

The Speaker then laid Senate Bill No. 140 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—113

Allison	Kinard
Bailey	King
Baker	Langdon
of Fort Bend	Leonard
Bell	Leyendecker
Blankenship	Little
Boethel	Lock
Bond	Loggins
Boyd	London
Boyer	Mays
Bradbury	McAlister
Bradford	McDaniel
Bridgers	McDonald
Brown of Cherokee	McFarland
Bundy	McMurry
Burney	McNamara
Cauthorn	Mohrmann
Celaya	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Cockrell	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Crossley	Ragsdale
Daniel	Reader of Erath
Dean	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Dowell	Robinson
Felty	Russell
Fuchs	Segrist
Galbreath	Shell
Gilmer	Skiles
Goodman	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Spencer
Hankamer	Stinson
Hardeman	Talbert
Hardin	Tarwater
Harp	Taylor
Harper	Tennant
Harrell of Bastrop	Thornberry
Harris	Thornton
Holland	Vale
Howard	Vint
Howington	Waggoner
Hunt	Weldon
Isaacks	Wells
Johnson of Ellis	White
Johnson of Tarrant	Wilson
Kennedy	Winfree
Kern	Worley
Kerr	Wright

## Nays—13

Allen	Kersey
Alsup	Lehman
Bray	Roberts
Broadfoot	Stoll
Davis of Upshur	Westbrook
Faulkner	Wood
Ferguson	

## Present—Not Voting

Brown  
of Nacogdoches

## Absent

Anderson	Hartzog
Baker of Grayson	Hull
Burkett	Keith
Corry	Monkhouse
Davis of Jasper	Oliver
Donaghey	Reader of Bexar
Fielden	Roach
Gordon, Mrs.	Turner
Harrell of Lamar	Voigt

## Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

### AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 1078

Mr. Howard offered the following resolution:

H. C. R. No. 195, Authorizing certain correction in House Bill No. 1078.

Whereas, As finally passed by the House and Senate the caption of House Bill No. 1078 did not conform to the body thereof; and

Whereas, The caption should read as follows:

"An Act to amend Chapter 106 of the Acts of the First Called Session of the Fortieth Legislature, permitting cities of more than two hundred and eighty-five thousand (285,000) inhabitants, according to the last preceding or any future Federal Census, to make improvements on highways or roads outside the limits of such city provided such improvements do not extend more than one hundred and fifty (150) feet from such city limits, and declaring an emergency"; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be and she is hereby authorized and empowered to change the caption of

House Bill No. 1078 to conform with changes made by this resolution.

The resolution was read second time, and was adopted.

### TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 193, by Mr. Harrell of Lamar, To grant Mrs. Woodie Spore permission to sue the State.

The resolution having heretofore been read second time, and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

### SENATE BILL NO. 477 ON SECOND READING

Mr. Wright moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, Senate Bill No. 477.

The motion prevailed by the following vote:

Yeas—122

Allison	Crossley
Alsup	Daniel
Anderson	Dean
Bailey	Dickison
Baker	Dickson
of Fort Bend	Donaghey
Bell	Dowell
Boethel	Faulkner
Bond	Felty
Boyd	Ferguson
Boyer	Fuchs
Bradbury	Galbreath
Bradford	Gilmer
Bridgers	Gordon, Mrs.
Broadfoot	Hale
Brown of Cherokee	Hamilton
Brown	Hankamer
of Nacogdoches	Hardin
Bundy	Harp
Burney	Harper
Cauthorn	Harrell of Bastrop
Celaya	Harrell of Lamar
Chambers	Harris
Clark	Holland
Cleveland	Howington
Cockrell	Hull
Coleman	Hunt
Colquitt	Johnson of Tarrant
Colson, Mrs.	Keith
Cornett	Kennedy

Kern	Reed
Kerr	Rhodes
Kersey	Riviere
Kinard	Roberts
King	Robinson
Langdon	Russell
Lehman	Segrist
Leonard	Skiles
Leyendecker	Smith of Frio
Little	Smith of Hopkins
Lock	Spencer
Loggins	Stinson
Mays	Stoll
McAlister	Talbert
McDaniel	Tarwater
McDonald	Taylor
McFarland	Tennant
McMurry	Thornberry
McNamara	Thornton
Mohrmann	Turner
Montgomery	Vale
Morris	Voigt
Newell	Waggoner
Nicholson	Weldon
Oliver	Wells
Pace	Westbrook
Pevehouse	White
Pope	Wilson
Ragsdale	Winfree
Reader of Bexar	Wood
Reader of Erath	Worley
Reaves	Wright

Nays—3

Bray	Vint
Davis of Upshur	

Absent

Allen	Hartzog
Baker of Grayson	Howard
Blankenship	Isaacks
Burkett	Johnson of Ellis
Corry	London
Davis of Jasper	Monkhouse
Derden	Petsch
Felden	Piner
Goodman	Roach
Hardeman	Shell

Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 477, A bill to be entitled "An Act to amend Section 3 of House Bill No. 74, passed at this, the Regular Session of the Forty-sixth Legislature, so as to prescribe rules and

regulations by which it may be established who are now licensed to practice law within this State within the meaning of said Section; and limiting the power of the District Judge and the Supreme Court, and declaring an emergency."

The bill was read second time.

Mr. Wright offered the following committee amendment to the bill:

Amend Senate Bill No. 477, by deleting Subsection "D" under Section 1, and substitute the following:

"(d) Where an attorney, licensed before October 6, 1919, has lost or misplaced his license, issued by legal authority, and where the proof of its issuance is not available in the records of the Court in Texas in which he claims it was issued, then his status as a licensed attorney in this State may be established by a certificate of the District Judge in the District of his residence that such person has been engaged in the practice of law within this State for a period of five (5) years immediately and continuously next preceding the effective date of this Act, and, within the judgment of said District Judge, said attorney has theretofore been duly licensed to practice law under the laws of the State of Texas and is of good moral character. Before any such certificate shall be issued by a District Judge, the Judge shall give an opportunity to the President of the local Bar Association in the county of said attorney's residence to be heard."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Mr. Davis of Upshur moved that Senate Bill No. 477 be tabled.

The motion to table was lost.

Senate Bill No. 477 was then passed to third reading.

#### SENATE BILL NO. 477 ON THIRD READING

Mr. Wright moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 477 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—123

Allen	Johnson of Ellis
Allison	Johnson of Tarrant
Alsup	Keith
Anderson	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kersey
Bell	King
Blankenship	Langdon
Boethel	Lehman
Bond	Leyendecker
Boyd	Lock
Boyer	Loggins
Bradbury	Mays
Bradford	McAlister
Bridgers	McDaniel
Brown of Cherokee	McDonald
Brown	McFarland
of Nacogdoches	McMurry
Bundy	McNamara
Burkett	Mohrmann
Cauthorn	Montgomery
Celaya	Morris
Clark	Newell
Cleveland	Nicholson
Coleman	Oliver
Colquitt	Pace
Colson, Mrs.	Pevehouse
Cornett	Ragsdale
Crossley	Reader of Bexar
Daniel	Reader of Erath
Davis of Jasper	Reaves
Dean	Reed
Derden	Rhodes
Dickison	Riviere
Dickson	Roberts
Donaghey	Robinson
Dowell	Russell
Faulkner	Segrist
Felty	Shell
Ferguson	Skiles
Fuchs	Smith of Hopkins
Galbreath	Spencer
Gilmer	Stinson
Gordon, Mrs.	Stoll
Hale	Talbert
Hamilton	Tarwater
Hankamer	Taylor
Hardeman	Tennant
Hardin	Thornberry
Harp	Thornton
Harper	Turner
Harrell of Lamar	Vale
Harris	Voigt
Hartzog	Waggoner
Holland	Weldon
Howard	Wells
Howington	Westbrook
Hull	White
Hunt	Wilson
Isaacks	Winfree

Wood	Wright
Worley	
	Nays—5
Bray	Davis of Upshur
Burney	Vint
Cockrell	
	Absent
Baker of Grayson	Little
Broadfoot	London
Chambers	Monkhouse
Corry	Petsch
Fielden	Piner
Goodman	Pope
Harrell of Bastrop	Roach
Kinard	Smith of Frio
Leonard	
	Absent—Excused
Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

The Speaker then laid Senate Bill No. 477 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Allen	Derden
Allison	Dickison
Alsup	Dickson
Anderson	Donaghey
Bailey	Dowell
Baker	Faulkner
of Fort Bend	Felty
Bell	Ferguson
Blankenship	Fuchs
Boethel	Galbreath
Bond	Gilmer
Boyd	Gordon, Mrs.
Boyer	Hale
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hardeman
Brown of Cherokee	Hardin
Brown	Harp
of Nacogdoches	Harper
Bundy	Harrell of Lamar
Burkett	Harris
Cauthorn	Hartzog
Celaya	Holland
Clark	Howard
Cleveland	Howington
Coleman	Hull
Colquitt	Hunt
Colson, Mrs.	Isaacks
Cornett	Johnson of Ellis
Crossley	Johnson of Tarrant
Daniel	Keith
Davis of Jasper	Kennedy
Dean	Kern

Kerr	Roberts
Kersey	Robinson
King	Russell
Langdon	Segrist
Lehman	Shell
Leyendecker	Skiles
Lock	Smith of Hopkins
Loggins	Spencer
Mays	Stinson
McAlister	Stoll
McDaniel	Talbert
McDonald	Tarwater
McFarland	Taylor
McMurry	Tennant
McNamara	Thornberry
Mohrmann	Thornton
Montgomery	Turner
Morris	Vale
Newell	Voigt
Nicholson	Waggoner
Oliver	Weldon
Pace	Wells
Pevehouse	Westbrook
Ragsdale	White
Reader of Bexar	Wilson
Reader of Erath	Winfree
Reaves	Wood
Reed	Worley
Rhodes	Wright
Riviere	

Nays—5

Bray	Davis of Upshur
Burney	Vint
Cockrell	
	Absent
Baker of Grayson	Little
Broadfoot	London
Chambers	Monkhouse
Corry	Petsch
Fielden	Piner
Goodman	Pope
Harrell of Bastrop	Roach
Kinard	Smith of Frio
Leonard	
	Absent—Excused
Dwyer	Smith
Heflin	of Matagorda
Schuenemann	

(Mr. Blankenship in the Chair.)

# RELATIVE TO CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 926

On motion of Mr. Morris, consideration of the Conference Committee Report on House Bill No. 926, which was postponed until 11:30 o'clock a. m., today, was postponed until 11:30 o'clock a. m., tomorrow.

(Speaker in the Chair.)

RELATIVE TO SENATE BILL  
NO. 444

On motion of Mr. Harris, Senate Bill No. 444 was laid on the table subject to call.

SENATE BILL NO. 155 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 155, A bill to be entitled "An Act providing that it shall be unlawful to hunt, take, kill, pursue, catch, possess, buy or sell any game bird, game animal, fish, shrimp, oyster, crabs, diamond back terrapin, fur-bearing animal, or attempt to do so by means, method or device, other than such as may hereafter be permitted; repealing all laws relating thereto, excepting certain laws, and declaring an emergency."

The bill was read second time.

Question—Shall Senate Bill No. 155 pass to third reading?

MESSAGE FROM THE SENATE

Austin, Texas, June 14, 1939.  
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 688.

The following have been appointed, on the part of the Senate: Senators Van Zandt, Pace, Redditt, Small and Weinert.

The Senate has adopted the Conference Committee Report on House Bill No. 256 by viva voce vote.

The Senate has adopted the Conference Committee Report on House Bill No. 255 by viva voce vote.

Senate adopted the Conference Committee Report on Senate Bill No. 427 by viva voce vote.

Passed

H. B. No. 912, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by repealing Subsection (d) of Section 3, Article I, Chapter 467, Acts of the Second Called Session of the

Forty-fourth Legislature, as amended by Section 1 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; by amending Sections 4(a), 11, 15(b), 15(c), 17, 19, 21, 29, 30, 32, 33, 35, 37, 38, 39 and 41 of Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by House Bill No. 8, Acts of the Third Called Session of the Forty-fourth Legislature, and House Bill No. 432, Acts of the Revised Statutes of the Forty-fifth Legislature, House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature, and Senate Bill No. 20, Acts of the First Called Session of the Forty-fifth Legislature." (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

BILLS AND RESOLUTION SIGNED  
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. C. R. No. 180, Granting the loan of certain highway equipment.

H. B. No. 410, "An Act to amend Article 4553, Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, as amended by Section 1 of Chapter 7, Acts of First Called Session, Forty-second Legislature, and Articles 4555, 4556, 4557, 4558, 4559, 4563, 4565, 4565a, 4565b, of Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, and Chapter 5, Title 12 of the Penal Code of Texas, 1925, by adding thereto Article 738a, and Article 737, Chapter 5, Title 12 of the Penal Code of Texas, 1925; so as to provide for a State Board of Examiners in Optometry, qualifications for and method of filling vacancies of said Board, etc., and declaring an emergency."

H. B. No. 1079, "An Act to aid the San Jacinto River Conservation and Reclamation District embracing the Counties of Montgomery, Walker, San Jacinto, and all that part of Liberty County embraced in the San Jacinto Watershed in carrying out the powers, duties and functions conferred upon such District by the Legislature; granting and donating to such District, with limitations, for a period of

twenty (20) years, fifty (50%) per cent of all the State ad valorem taxes for General Revenue purposes upon the property and from persons in counties comprising in whole or in part such District, and declaring an emergency."

H. B. No. 1126, "An Act making an appropriation of the sum of Seventy-five Thousand (\$75,000.00) Dollars or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and per diem of Members, and declaring an emergency."

H. B. No. 1130, "An Act to amend Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

H. B. No. 1040, "An Act making an appropriation of Three Thousand (\$3,000.00) Dollars, or so much thereof as may be necessary to aid and facilitate the work to be performed by the Lower Concho River Water and Soil Conservation Authority; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said Authority, and declaring an emergency."

H. B. No. 1025, "An Act permitting the use of a one-inch net for taking suckers, carp, buffalo and shad from Bosque River, in Hamilton County; prohibiting the use of any other seine or net except a minnow seine; providing a penalty; repealing all conflicting laws, and declaring an emergency."

H. B. No. 982, "An Act prescribing the means by which fish may be taken from the waters of Coryell County; prohibiting the sale of catfish taken in that county; repealing all conflicting laws; providing a penalty, and declaring an emergency."

H. B. No. 865, "An Act amending Article 3985 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court in forcible entry and detainer proceedings, and declaring an emergency."

H. B. No. 195, "An Act defining and regulating the practice of chiropody in the State of Texas; providing for the creation of the State Board of Chiropody Examiners and prescribing their powers and duties; providing

for the examination and licensing of chiropodists and the recording of licenses issued to chiropodists and for the annual registration of licensed chiropodists; providing grounds upon which such licenses may be suspended or revoked and the procedure to be followed in suspending or revoking same; providing civil and criminal remedies and penalties for violation of the laws regulating the practice of chiropody and to prevent the unlawful practice of chiropody, defining certain unlawful acts and practices taking place in connection with the practice of chiropody and prescribing penalties therefor, etc., and declaring an emergency."

H. B. No. 864, "An Act amending Article 3991 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court or County Court in forcible entry and detainer proceedings, and declaring an emergency."

#### RECESS

Mr. Hardeman moved that the House recess until 2:00 o'clock, p. m., today.

Mr. Celaya moved that the House recess until 2:30 o'clock p. m., today.

Mr. Harrell of Bastrop moved that the House recess until 3:00 o'clock p. m., today.

The motion of Mr. Harrell of Bastrop prevailed, and the House, accordingly, at 12:05 o'clock p. m., took recess until 3:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

#### LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Kinard for this afternoon, on account of important business, on motion of Mr. Harp.

#### MESSAGE FROM THE SENATE

Austin, Texas, June 14, 1939.  
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has concurred in House amendments to



Senate Bill No. 462, by the following vote: Yeas, 29; Nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 356, by the following vote: Yeas, 31; Nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 298, by the following vote: Yeas, 31; Nays, 0.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE BILL NO. 155 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, Senate Bill No. 155, Relative to the hunting or selling game or fish in the State, etc., on its passage to third reading.

The bill having heretofore been read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend Senate Bill No. 155, by striking out all below the enacting clause, and insert in lieu thereof, the following:

"Section 1. The Game, Fish and Oyster Commission is hereby charged with the duty of making continuing investigations and keeping a constant check on the supply and condition of the various species of game, fish and wild life of this State.

Whenever the Legislature of this State is not in session and the Commission finds through its investigation that any species of game bird, game animal, or fresh water fish requires emergency protection to safeguard the State's interest in this natural resource because such species is adversely affected by disease, drouth, over-hunting, over-fishing, over-concentration or an unfavorable breeding season, to such an extent as to endanger such species, which adverse effect cannot be relieved except by additional protection for such species, the Commission shall forthwith issue a regulation declaring that such species in such locality are in need of absolute protection for a certain period of time, which period of time shall automatically terminate on the day of adjournment of the next Session of the Legislature.

Such regulation shall not be in effect until notice of the same has been published in at least one news-

paper in each county in which said regulation is to apply and until a copy has been mailed to the Secretary of State and to each county attorney and county clerk of the county to which it applies and shall be filed in the records of the respective offices. In no event shall such a regulation become effective until ten (10) days after the same is issued from the office of the Game, Fish and Oyster Commission. When such a regulation becomes effective, it shall be unlawful to hunt, kill, catch, or attempt to hunt, kill or catch any species of game bird, game animal, or fresh water fish to which it applies in the area to which said regulation applies for the period of time specified in such regulation.

Provided, however, that after the effective date of such regulation, any person who is a resident of the county thereby affected may make an application for a hearing before the County Commissioners' Court of any county and after having given five (4) days notice in writing to the Game, Fish and Oyster Commission or one of its deputies. The County Commissioners' Court shall set a date for a hearing and shall hear all persons interested in such regulation and shall have the power to and shall approve or disapprove by a majority vote such regulation; and, if such regulation is disapproved, it shall be null and void and of no effect in such county.

Section 2. Any person who hunts, kills, takes, or attempts to hunt, kill, or take any game bird, game animal, or fresh water fish during the time of an emergency specified in a regulation issued by the Game, Fish and Oyster Commission, in compliance with Section 1 of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in the sum of not less than One (\$1.00) Dollar or more than One Hundred (\$100.00) Dollars.

Section 3. Section 1 of House Bill No. 31, Second Called Session of the Forty-fifth Legislature, is hereby amended to hereafter read as follows:

"Section 1. The Game, Fish and Oyster Commission is hereby directed to provide through a suitable order issued on or before August 31 of each year the period of time or open season when mourning doves and white-

wing doves may be taken or killed, which shall be the open season for taking or killing such birds and there shall be no law of this State in conflict therewith, except such as may hereafter be enacted. An open season for any county shall not be longer than sixty-two (62) days and shall be fixed during the period September 1 to January 16. Adequate study shall be made by the said Commission to determine the open season for any county or group of counties that shall give the most equitable opportunities for taking mourning doves or white-wing doves in said counties or county that shall not be a detriment to the future supply of such birds. Upon determination of such facts, any open season so ordered shall be in consonance with such facts and the limitations specified in this Act. A copy of every order issued hereunder shall be furnished the press of this State, the Secretary of State, each County Clerk and County Attorney of the State and each Game and Fish Warden, and shall be incorporated in the minutes of the Game, Fish and Oyster Commission at the meeting at which it was adopted."

Section 4. Article 904 of the Penal Code is hereby amended to hereafter read as follows:

"Article 904. It shall be unlawful for any person to hunt with a gun in this State until he has first procured and has in his possession the hunting license which is required of him by the provisions of this Act.

The requirements and licenses shall be as follows:

(a) Non-resident hunting license, required of any person who is not a resident of this State or who has not been a resident of this State for a period of six (6) months, for which he shall pay the sum of Ten (\$10.00) Dollars, One (\$1.00) Dollar of which shall be retained by the agent authorized to issue the same. A non-resident hunting license shall entitle the holder to hunt any game species in this State during the open season thereof.

(b) A small game hunting license shall be required of any resident citizen of this State who hunts outside of the county of his residence and who has not purchased a large game hunting license. A small game hunting license shall authorize the holder to hunt any species of game except deer, bear, mountain sheep or mountain

goats, or wild turkey. For such a license shall be paid the sum of Two (\$2.00) Dollars, Twenty (20c) Cents of which shall be retained by the agent authorized to issue the same.

(c) A large game hunting license shall be required of any person who hunts outside the county of his residence deer, bear, mountain sheep or mountain goats, or wild turkey, and shall entitle a resident citizen of this State to hunt any other species of game during the open season thereof, for which license there shall be paid the sum of Three (\$3.00) Dollars, Thirty (30c) Cents of which shall be retained by the agent authorized to issue the same.

It shall be unlawful for any person to hunt in this State without first having procured the license required of him by this Act. For the purpose of this Act, non-resident is defined as any alien or any person who has not continuously resided in this State for a period of six (6) months before applying for a hunting license. No resident hunting license shall be issued by any authorized license agent to any person who is not personally known to the agent as a bona fide resident of this State, or unless such person gives definite proof of such fact.

Any person who hunts without first procuring the license required of him under the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars.

All fees collected from the sale of hunting licenses, after the fees for issuing same have been deducted, by the tenth day of the month following the issuance of such licenses, shall be remitted to the Game, Fish and Oyster Commission at its office in Austin, and shall be deposited by said Commission in the State Treasury, to the credit of the Special Game Fund. Any unsold licenses shall be returned to the Game, Fish and Oyster Commission, whenever same may be requested, and any person authorized to sell licenses, who fails for ten (10) days to return any licenses called for shall be charged the net worth of same, and shall pay for them the same as if they had been sold. If any action against such license agent, or other authorized issuer of such li-

censes, no defense that the licenses were not sold shall be admitted.

All licenses issued because of the provisions of this Act, unless otherwise forfeited by due process of law, shall be valid until August 31st following date of issuance.

It shall be unlawful to charge any license fee, other than that herein prescribed, for hunting on any publicly owned State land or waters in this State, and any authority heretofore given to any State agency or body politic of the State, to charge a fee for hunting on any such area under jurisdiction of the State of Texas, or under any subdivision of same, in all particulars in which it may conflict with this provision, be and the same is hereby repealed. Provided, that this provision in no way attempts to nullify the Act of Congress now existing, or its authority to hereafter legislate on the requirements of fees for taking migratory birds."

Section 5. This Act shall be construed to be accumulative of or an exception to all laws now in force and effect on the same subject, unless it is in direct conflict therewith, and as repealing all laws or parts of laws with which it is in direct conflict. If any provision, paragraph or Section of this Act shall be held to be unconstitutional or inoperative, such shall not affect the validity of any other portion of this Act.

Section 6. The fact that there is now no law which gives the Game Commission the authority to issue emergency orders for the preservation of game when the Legislature is not in session, and the fact that the proper protection of game demands immediate increase of revenue to the Game Department creates an emergency and an imperative public necessity that the Constitutional Rule, which requires that bills be read on three separate days in each House, be suspended so that this Act, which should relieve this unwholesome condition, can be speedily enacted. Therefore, said Constitutional Rule is hereby suspended, and this Act shall be in full force and effect on and after September 1, 1939, and it is so enacted."

Mr. Shell offered the following amendment to the committee amendment:

Amend Senate Bill No. 155, on page 4 of the printed committee substitute, by inserting between lines 10 and 11 the following:

"Provided, however, that if any resident of Texas shall purchase a small game license and shall thereafter desire to purchase a large game license, such person may surrender such small game license to any deputy or agent of the Commission and upon payment of an additional fee of One (\$1.00) Dollar shall be issued a large game license. The deputy or agent issuing the same shall be entitled to retain Ten (10c) Cents of the additional payment and shall enter a notation upon the large game license and upon the stub, showing the number of the small game license taken up, and shall keep such small game license and forward the same to Austin office in his next report."

SHELL,  
DERDEN,  
HARTZOG.

Mr. Alsup moved that Senate Bill No. 155 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—48

Allen	Langdon
Alsup	Leyendecker
Bailey	Little
Boethel	London
Bond	Mohrmann
Burkett	Morris
Chambers	Oliver
Cockrell	Pace
Crossley	Pevehouse
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reaves
Dickison	Roach
Ferguson	Skiles
Fielden	Smith of Hopkins
Galbreath	Spencer
Hankamer	Stoll
Hardeman	Talbert
Harrell of Lamar	Tarwater
Harris	Vint
Howington	Voigt
Johnson of Ellis	Weldon
Kern	Wells
Kerr	Westbrook
King	Wood

Nays—66

Baker	Bell
of Fort Bend	Boyd

Boyer	Loggins
Bradbury	Mays
Bradford	McAlister
Bray	McDaniel
Bridgers	McFarland
Brown of Cherokee	McMurry
Bundy	McNamara
Cauthorn	Montgomery
Celaya	Newell
Clark	Nicholson
Cleveland	Petsch
Coleman	Pope
Colquitt	Ragsdale
Cornett	Reed
Corry	Rhodes
Derden	Roberts
Dickson	Robinson
Dowell	Russell
Faulkner	Schuenemann
Gilmer	Segrist
Hale	Shell
Hamilton	Stinson
Harp	Taylor
Hartzog	Tennant
Holland	Thornberry
Hunt	Thornton
Isaacks	Turner
Keith	Vale
Kersey	White
Kennedy	Wilson
Lehman	Winfree
Lock	

## Present—Not Voting

Brown  
of Nacogdoches

## Absent

Allison	Harper
Anderson	Harrell of Bastrop
Baker of Grayson	Howard
Blankenship	Hull
Broadfoot	Johnson of Tarrant
Burney	Leonard
Colson, Mrs.	McDonald
Daniel	Monkhouse
Dean	Piner
Donaghey	Reader of Erath
Felty	Riviere
Fuchs	Smith of Frio
Goodman	Waggoner
Gordon, Mrs.	Worley
Hardin	Wright

## Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Kinard	

Question recurring on the amendment, by Mr. Shell, to the committee amendment, it was adopted.

Mr. Davis of Jasper offered the following amendment to the committee amendment:

Amend committee substitute to Senate Bill No. 155, in the proper place, by adding the following:

"Provided no provision of this Act shall apply to Jasper, Newton, Erath, Hood and Panola Counties."

DAVIS of Jasper,  
READER of Erath,  
ALSUP.

Mr. Hartzog moved to table the amendment by Mr. Davis of Jasper.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—64

Bell	Isaacks
Bond	Johnson of Ellis
Boyd	Johnson of Tarrant
Boyer	Kennedy
Bradford	Kersey
Bray	King
Bridgers	Leonard
Brown of Cherokee	Lock
Bundy	Mays
Cauthorn	McAlister
Celaya	McDaniel
Cleveland	McFarland
Coleman	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Nicholson
Corry	Pope
Dean	Ragsdale
Derden	Reaves
Dickson	Roberts
Faulkner	Robinson
Fuchs	Russell
Gilmer	Schuenemann
Goodman	Segrist
Gordon, Mrs.	Shell
Hamilton	Taylor
Hankamer	Tennant
Hardin	Thornton
Harp	Vale
Harper	Waggoner
Hartzog	White
Hull	Wilson
Hunt	Wood

## Nays—62

Allen	Burkett
Allison	Burney
Alsup	Chambers
Bailey	Clark
Baker	Cockrell
of Fort Bend	Cornett
Boethel	Crossley

Davis of Jasper	Morris
Davis of Upshur	Newell
Dickison	Oliver
Dowell	Pace
Felty	Pevehouse
Ferguson	Piner
Fielden	Reader of Erath
Galbreath	Rhodes
Hale	Roach
Harrell of Lamar	Skiles
Harris	Smith of Hopkins
Holland	Spencer
Howington	Stoll
Keith	Talbert
Kern	Tarwater
Kerr	Turner
Langdon	Vint
Lehman	Voigt
Leyendecker	Weldon
Loggins	Wells
London	Westbrook
McDonald	Winfree
McMurry	Worley
McNamara	Wright
Mohrmann	

Present—Not Voting

Brown  
of Nacogdoches

Absent

Anderson	Howard
Baker of Grayson	Little
Blankenship	Petsch
Bradbury	Reader of Bexar
Broadfoot	Reed
Daniel	Riviere
Donaghey	Smith of Frio
Hardeman	Stinson
Harrell of Bastrop	Thornberry

Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Kinard	

Mr. Oliver offered the following amendment to the committee amendment:

Amend amendment to Senate Bill No. 155, by striking Sabine, San Augustine, Comal, Robertson and Shelby from the provisions of the bill.

OLIVER,  
WESTBROOK,  
VOIGT,  
RHODES.

Mr. Hartzog moved to table the amendment.

The motion to table was lost.

Mr. Oliver then withdrew the amendment.

Question — Shall the committee amendment, as amended, be adopted?

### TO SUSPEND CERTAIN JOINT RULES

Mr. Lock offered the following resolution:

H. C. R. No. 196, To suspend certain Joint Rules.

Be It Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the House and Senate be suspended, and said Rules are hereby suspended, so that the House can take up and consider today and tomorrow, June 14th and 15th, House Bill No. 1031, the deficiency Rural Aid Appropriation Bill for the 1938-1939 school year.

LOCK,  
DAVIS of Jasper,  
TURNER,  
FERGUSON.

The resolution was read second time.

The resolution was adopted by the following vote:

Yeas—93

Allen	Ferguson
Allison	Fielden
Alsup	Fuchs
Anderson	Galbreath
Bailey	Goodman
Baker	Hale
of Fort Bend	Hamilton
Bell	Hardin
Blankenship	Harp
Boyd	Harper
Bradbury	Harrell of Bastrop
Bray	Harrell of Lamar
Brown of Cherokee	Harris
Brown	Holland
of Nacogdoches	Howington
Bundy	Hull
Burkett	Isaacks
Burney	Kennedy
Celaya	Kern
Chambers	Kerr
Clark	Kersey
Cockrell	King
Coleman	Langdon
Colson, Mrs.	Lehman
Cornett	Little
Corry	Lock
Davis of Jasper	Loggins
Davis of Upshur	London
Derden	McDonald
Dowell	McFarland
Faulkner	McMurry
Felty	Mohrmann

Montgomery	Smith of Hopkins
Morris	Spencer
Newell	Stinson
Oliver	Stoll
Pace	Talbert
Pope	Tarwater
Ragsdale	Tennant
Reader of Erath	Thornberry
Reaves	Turner
Roach	Weldon
Roberts	Wells
Russell	Westbrook
Schuenemann	Wilson
Segrist	Winfree
Shell	Worley
Skiles	

## Nays—30

Boethel	McAlister
Boyer	McDaniel
Bradford	McNamara
Bridgers	Monkhouse
Cauthorn	Nicholson
Colquitt	Petsch
Daniel	Reed
Dickison	Rhodes
Gilmer	Robinson
Gordon, Mrs.	Smith of Frio
Hankamer	Taylor
Hardeman	Thornton
Johnson of Tarrant	Vale
Keith	Wood
Leyendecker	Wright

## Absent

Baker of Grayson	Johnson of Ellis
Bond	Leonard
Broadfoot	Mays
Cleveland	Pevehouse
Crossley	Piner
Dean	Reader of Bexar
Dickson	Riviere
Donaghey	Vint
Hartzog	Voigt
Howard	Waggoner
Hunt	White

## Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Kinard	

## SENATE BILL NO. 347 ON SECOND READING

Mr. Allen moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, Senate Bill No. 347.

The motion prevailed.

The Speaker then laid before the House, on its second reading, and passage to third reading,

S. B. No. 347, A bill to be entitled "An Act authorizing the State Parks

Board to acquire, build and construct parkways, roads, bridges, etc., on Buchanan and Inks Lakes in Burnet, Travis, Llano, Lampasas, Williamson and San Saba Counties; authorizing the Board to cooperate and match funds with other State and Federal agencies; making an appropriation to carry out the terms of this Act, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 347 ON THIRD READING

Mr. Allen moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 347 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—97

Allen	Hamilton
Allison	Hardeman
Anderson	Hardin
Bailey	Harp
Baker	Harper
of Fort Bend	Harrell of Bastrop
Bell	Harrell of Lamar
Blankenship	Harris
Boyd	Holland
Boyer	Howington
Bridgers	Hull
Brown	Hunt
of Nacogdoches	Isaacks
Bundy	Johnson of Ellis
Burkett	Kennedy
Burney	Kern
Cauthorn	King
Celaya	Lehman
Clark	Leonard
Cleveland	Leyendecker
Cockrell	Lock
Coleman	London
Colquitt	McDaniel
Colson, Mrs.	McDonald
Cornett	McFarland
Davis of Jasper	McMurry
Derden	McNamara
Dickison	Mohrmann
Dowell	Monkhouse
Faulkner	Montgomery
Felty	Newell
Ferguson	Nicholson
Fuchs	Pace
Galbreath	Petsch
Gilmer	Pope
Goodman	Ragsdale
Gordon, Mrs.	Reader of Erath
Hale	Reaves

Roach	Tennant
Roberts	Thornberry
Robinson	Thornton
Schuenemann	Turner
Segrist	Vale
Shell	Vint
Skiles	Weldon
Smith of Frio	Wilson
Smith of Hopkins	Winfree
Stoll	Worley
Tarwater	Wright
Taylor	

## Nays—17

Alsup	McAlister
Boethel	Reed
Bradford	Rhodes
Crossley	Russell
Daniel	Spencer
Davis of Upshur	Stinson
Keith	Westbrook
Kerr	Wood
Kersey	

## Present—Not Voting

Bray

## Absent

Baker of Grayson	Langdon
Bond	Little
Bradbury	Loggins
Broadfoot	Mays
Brown of Cherokee	Morris
Chambers	Oliver
Corry	Pevehouse
Dean	Piner
Dickson	Reader of Bexar
Donaghey	Riviere
Fielden	Talbert
Hankamer	Voigt
Hartzog	Waggoner
Howard	Wells
Johnson of Tarrant	White

## Absent—Excused

Dwyer	Smith
Heflin	of Matagorda
Kinard	

The Speaker then laid Senate Bill No. 347 before the House on third reading and final passage.

The bill was read third time.

Mr. Alsup offered the following amendment to the bill:

Amend Senate Bill No. 347, by providing that the \$12,500 appropriation in this bill shall be considered as a loan, to be repaid out of any revenues to be derived from the lake.

The amendment was lost by the following vote:

## Yeas—45

Alsup	Lehman
Bailey	Leyendecker
Bond	London
Bradbury	McAlister
Bradford	McDaniel
Bray	McMurry
Burkett	McNamara
Clark	Mohrmann
Cornett	Nicholson
Crossley	Reed
Daniel	Rhodes
Davis of Jasper	Roach
Dickison	Roberts
Faulkner	Russell
Ferguson	Spencer
Gilmer	Stinson
Goodman	Taylor
Harp	Weldon
Kennedy	Westbrook
Kern	Wilson
Kersey	Wood
King	Wright
Langdon	

## Nays—65

Allen	Howard
Anderson	Howington
Baker	Hull
of Fort Bend	Hunt
Bell	Isaacks
Blankenship	Johnson of Ellis
Boethel	Johnson of Tarrant
Boyd	Kerr
Boyer	Leonard
Bridgers	Little
Brown of Cherokee	Lock
Bundy	Loggins
Burney	McDonald
Cauthorn	Monkhouse
Celaya	Montgomery
Cleveland	Newell
Cockrell	Pace
Coleman	Petsch
Colson, Mrs.	Pope
Corry	Reader of Erath
Derden	Robinson
Dowell	Segrist
Fuchs	Shell
Galbreath	Skiles
Gordon, Mrs.	Stoll
Hamilton	Tarwater
Hankamer	Tennant
Hardeman	Thornberry
Hardin	Thornton
Harrell of Bastrop	Turner
Harrell of Lamar	Vale
Harris	Winfree
Hartzog	Worley

## Present—Not Voting

Brown	Reaves
of Nacogdoches	

	Absent
Allison	McFarland
Baker of Grayson	Morris
Broadfoot	Oliver
Chambers	Pevehouse
Colquitt	Piner
Davis of Upshur	Ragsdale
Dean	Reader of Bexar
Dickson	Riviere
Donaghey	Smith of Frio
Felty	Smith of Hopkins
Fielden	Talbert
Hale	Vint
Harper	Voigt
Holland	Waggoner
Keith	Wells
Mays	White

## Absent—Excused

Dwyer	Schuenemann
Heflin	Smith
Kinard	of Matagorda

Senate Bill No. 347 was then passed by the following vote:

## Yeas—72

Allen	Howington
Baker	Hull
of Fort Bend	Hunt
Bell	Johnson of Ellis
Blankenship	Johnson of Tarrant
Boethel	Kern
Boyd	Kerr
Boyer	King
Bradbury	Leonard
Brown of Cherokee	Little
Bundy	Lock
Burney	London
Cauthorn	McDonald
Celaya	Monkhouse
Clark	Montgomery
Cleveland	Newell
Cockrell	Petsch
Coleman	Piner
Colson, Mrs.	Pope
Derden	Ragsdale
Donaghey	Reader of Erath
Dowell	Roberts
Galbreath	Robinson
Goodman	Segrist
Gordon, Mrs.	Shell
Hamilton	Skiles
Hankamer	Smith of Frio
Hardin	Smith of Hopkins
Harp	Stoll
Harper	Tarwater
Harrell of Bastrop	Taylor
Harris	Tennant
Hartzog	Thornberry
Holland	Thornton
Howard	Vale

Voigt	Worley
Winfree	
	Nays—48
Allison	Langdon
Alsup	Lehman
Bailey	Leyendecker
Bond	McAlister
Bradford	McDaniel
Bray	McMurry
Bridgers	McNamara
Brown	Mohrmann
of Nacogdoches	Morris
Burkett	Nicholson
Colquitt	Oliver
Cornett	Pace
Corry	Reed
Crossley	Rhodes
Daniel	Roach
Davis of Jasper	Russell
Davis of Upshur	Spencer
Dickson	Stinson
Faulkner	Talbert
Ferguson	Weldon
Fuchs	Westbrook
Hardeman	Wilson
Harrell of Lamar	Wood
Kennedy	Wright
Kersey	

## Present—Not Voting

Reaves

## Absent

Anderson	Loggins
Baker of Grayson	Mays
Broadfoot	McFarland
Chambers	Pevehouse
Dean	Reader of Bexar
Dickson	Riviere
Felty	Turner
Fielden	Vint
Gilmer	Waggoner
Hale	Wells
Isaacks	White
Keith	

## Absent—Excused

Dwyer	Schuenemann
Heflin	Smith
Kinard	of Matagorda

Mr. Allen moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 912 WITH SENATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amend-



ments, for consideration of the amendments,

H. B. No. 912, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by repealing Subsection (d) of Section 3, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 1 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; etc., and declaring an emergency."

Mr. Bell moved that the House concur in the Senate amendments.

Mr. Roach moved, as a substitute motion, that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

Mr. Bradbury moved that further consideration of House Bill No. 912 be postponed until next Monday, and that the Attorney General be requested for an opinion as to the constitutionality of the bill.

On motion of Mr. Bell, the motion by Mr. Bradbury was tabled.

Mr. Bell then moved to table the substitute motion by Mr. Roach.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—84

Allen	Daniel
Alsup	Dickison
Anderson	Faulkner
Bailey	Felty
Baker	Fuchs
of Fort Bend	Gilmer
Bell	Gordon, Mrs.
Blankenship	Hamilton
Boethel	Hardeman
Bond	Harper
Boyd	Harrell of Bastrop
Boyer	Hartzog
Bradford	Heflin
Bridgers	Holland
Bundy	Howard
Burney	Hull
Cauthorn	Isaacks
Celaya	Johnson of Ellis
Clark	Johnson of Tarrant
Cleveland	Keith
Cockrell	Kerr
Corry	Kersey

King	Reader of Bexar
Lehman	Reed
Leonard	Riviere
Leyendecker	Robinson
Loggins	Schuenemann
London	Segrist
Mays	Shell
McAlister	Smith of Frio
McDaniel	Stinson
McDonald	Stoll
McFarland	Taylor
McMurry	Thornberry
McNamara	Thornton
Mohrmann	Vale
Monkhouse	Voigt
Montgomery	Wells
Nicholson	White
Pace	Wilson
Petsch	Winfree
Pope	Worley
Ragsdale	

#### Nays—44

Allison	Kern
Bradbury	Langdon
Bray	Little
Broadfoot	Lock
Brown of Cherokee	Newell
Brown	Oliver
of Nacogdoches	Reader of Erath
Burkett	Reaves
Chambers	Rhodes
Coleman	Roach
Cornett	Roberts
Crossley	Russell
Davis of Jasper	Smith of Hopkins
Davis of Upshur	Spencer
Ferguson	Talbert
Galbreath	Tarwater
Hale	Turner
Hankamer	Vint
Harp	Weldon
Harrell of Lamar	Westbrook
Harris	Wood
Howington	Wright
Kennedy	

#### Absent

Baker of Grayson	Goodman
Colquitt	Hunt
Colson, Mrs.	Morris
Dean	Pevehouse
Derden	Piner
Dickson	Skiles
Donaghey	Tennant
Dowell	Waggoner
Fielden	

#### Absent—Excused

Dwyer	Smith
Hardin	of Matagorda
Kinard	

Question then recurring on the motion to concur in Senate amendments to House Bill No. 912, it prevailed by the following vote:

## Yeas—84

Allen	Kerr
Anderson	Kersey
Bailey	Lehman
Baker	Leonard
of Fort Bend	Leyendecker
Bell	Little
Blankenship	London
Boethel	Mays
Bond	McAlister
Boyer	McDaniel
Bradford	McDonald
Bridgers	McFarland
Bundy	McMurry
Burney	McNamara
Cauthorn	Mohrmann
Celaya	Monkhouse
Cleveland	Montgomery
Cockrell	Nicholson
Colquitt	Pace
Corry	Petsch
Daniel	Pevehouse
Dickison	Piner
Dowell	Pope
Faulkner	Reader of Bexar
Felty	Reader of Erath
Fielden	Reed
Fuchs	Riviere
Gilmer	Robinson
Goodman	Segrist
Gordon, Mrs.	Shell
Hamilton	Smith of Frio
Hankamer	Stinson
Hardeman	Stoll
Hardin	Taylor
Harrell of Bastrop	Tennant
Hartzog	Vale
Holland	Voigt
Howard	Wells
Hull	White
Isaacks	Wilson
Johnson of Ellis	Winfree
Johnson of Tarrant	Worley
Keith	

## Nays—50

Allison	Coleman
Alsup	Cornett
Boyd	Crossley
Bradbury	Davis of Jasper
Bray	Davis of Upshur
Broadfoot	Derden
Brown of Cherokee	Ferguson
Brown	Galbreath
of Nacogdoches	Hale
Burkett	Harp
Chambers	Harrell of Lamar
Clark	Harris

Howington	Skiles
Kennedy	Smith of Hopkins
Kern	Spencer
King	Talbert
Langdon	Tarwater
Lock	Thornberry
Morris	Thornton
Newell	Turner
Oliver	Vint
Reaves	Weldon
Rhodes	Westbrook
Roach	Wood
Roberts	Wright
Russell	

## Absent

Baker of Grayson	Harper
Colson, Mrs.	Hunt
Dean	Loggins
Dickson	Ragsdale
Donaghey	Waggoner

## Absent—Excused

Dwyer	Schuenemann
Heflin	Smith
Kinard	of Matagorda

Mr. Bell moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 912, and to table the motion to reconsider.

The motion to table prevailed.

### EXTENDING SYMPATHY OF THE HOUSE TO HON. PAT DWYER

Mr. Bradbury offered the following resolution:

H. S. R. No. 320, Extending sympathy of the House to Hon. Pat Dwyer.

Whereas, Our fellow Member, the Hon. Pat Dwyer, is ill, and is now in Seton Infirmary in Austin; and

Whereas, We regret the illness of Mr. Dwyer, and greatly miss him from the proceedings of this body; now therefore, be it

Resolved, That we extend to him our sympathy, and express our hope that he may enjoy a speedy recovery and soon be back with us; and, be it further

Resolved, That the Chief Clerk send Mr. Dwyer a suitable bouquet of roses.

BRADBURY,  
CELAYA.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker

of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Uphur, Dean, Derden, Dickson, Dickson, Donaghey, Dowell, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Leyendecker, the names of all the Members of the House were added to the resolution, as signers thereof.

The resolution was unanimously adopted.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

S. B. No. 140, "An Act amending Section 6, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature as amended by Section 5, House Bill No. 749, Chapter 240, General Laws of the Regular Session of the Forty-fourth Legislature; providing that recoveries under a motor fuel distributor's bond shall not exceed the penal

sum thereof; providing that such bonds, if continuous in form, may be continued in effect by renewal certificates; providing for the repeal of all laws or parts of laws, etc., and declaring an emergency."

S. C. R. No. 62, Granting certain District Judge permission to be absent from the State.

S. C. R. No. 57, Relative to the Texas Commission on Interstate Cooperation.

#### HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Howington:

H. B. No. 1144, A bill to be entitled "An Act giving the Commissioners Court authority to fix the salary of the Commissioners in all counties in this State having a population of not more than 8,325 nor less than 8,250, according to the last preceding Federal Census; prescribing the minimum payment of such salaries; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only; declaring the intent of the Act to be a modification of Article 3912-e, Section 13, Revised Civil Statutes of Texas; providing for the effective date of the Act, and declaring an emergency."

Referred to the Committee on Counties.

#### ADJOURNMENT

On motion of Mr. Harrell of Bastrop, the House, at 4:45 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: Senate Bills Nos. 347, 486, 489 and 490.

Public Lands and Buildings: Senate Bill No. 396.

Highways and Motor Traffic: House Bill No. 1141.

State Affairs: House Concurrent Resolutions Nos. 179 and 193.

REPORTS OF THE COMMITTEE  
ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 193, Granting Mrs.  
Woodie Spore permission to sue the  
State.Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 195, Authorizing En-  
rolling Clerk to correct caption of  
House Bill No. 1078.Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 194, Expressing Leg-  
islative intent with regard to Senate  
Bill No. 89.Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 185, Providing for ap-  
pointment of certain joint committee  
to be known as "Board of Visitors."Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. C. R. No. 190, Granting Mrs.

V. E. Howard permission to sue the  
State.Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 171, Authorizing  
Metropolitan Building and Loan As-  
sociation, et al., to sue the State.Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referredH. C. R. No. 196, Suspending the  
Joint Rules of the House and Senate  
so that the House can take up and  
consider the deficiency Rural Aid Ap-  
propriation Bill for 1938-1939 school  
year.Has carefully compared same and  
finds it correctly engrossed.

WELDON, Vice-Chairman.

REPORTS OF THE COMMITTEE  
ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of  
the House of Representatives.Sir: Your Committee on Enrolled  
Bills, to whom was referredH. B. No. 410, "An Act to amend  
Article 4553, Chapter 10, Title 71 of  
the Revised Civil Statutes of Texas,  
1925, as amended by Section 1 of  
Chapter 7, Acts of First Called Ses-  
sion, Forty-second Legislature, and  
Articles 4555, 4556, 4557, 4558, 4559,  
4563, 4565, 4565a, of Chapter 10, Title  
71 of the Revised Civil Statutes of  
Texas, 1925, and Chapter 5, Title 12  
of the Penal Code of Texas, 1925,  
by adding thereto Article 738a and  
Article 737, Chapter 5, Title 12 of the  
Penal Code of Texas, 1925; so as to  
provide for a State Board of Ex-  
aminers in Optometry, qualifications  
for and method of filling vacancies  
on said Board; providing for election  
of officers and meetings of the Board;  
prescribing powers and duties of the

Board; requiring all persons desiring to practice optometry in Texas to pass examination; providing subjects for and method of giving examinations; providing grounds for refusal of and cancellation or suspension of any license; making certain exceptions; prescribing examination fee; prescribing renewal license fee and method of obtaining duplicate licenses; defining terms; specifying acts constituting penal offenses and providing a penalty; repealing Articles 4560 and 4565b, Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, and all laws or parts of laws in conflict with the provisions of this Act; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 865, "An Act amending Article 3985 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court in forcible entry and detainer proceedings, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 864, "An Act amending Article 3991 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court or County Court in forcible entry and detainer proceedings, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 249, "An Act concerning the liquidation, rehabilitation, reorganization or conservation of insurers and placing same under the Board of Insurance Commissioners; defining certain words and phrases used in this Act; providing for the appointment of a liquidator by the Board of Insurance Commissioners; providing that in all delinquency proceedings against insurers said liquidator shall be appointed as receiver therefore and outlining his duties as such receiver; providing for ancillary delinquency proceedings; defining the powers, duties, rights and privileges of receivers, liquidators, special deputy liquidators and other assistants and employees provided under the authority of this Act; providing for the preparation and filing by the liquidator of duplicate inventories of the insurers' assets; providing that after notice and hearing the liquidator may sell or compound doubtful debts and may sell real or personal property under order of the court; providing for the deposit of all moneys collected by the liquidator; providing for the filing of claims with such liquidator and for judicial and other proceedings in connection therewith; providing for the compensation of the liquidator and all special deputy liquidators, counsel, clerks and assistants hereunder; providing for the disposition of unclaimed dividends on approved claims; providing for the revesting of title to the insurer's assets in the stockholders of such insurer upon payment of all claims by the liquidator; providing for the form and content of all bonds required under the terms of this Act; providing for the repeal of all laws or parts of laws in conflict herewith with certain exceptions, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 195, "An Act regulating the practice of chiropody; providing

the terms of members of the Board of Chiropody Examiners; prescribing their duties; providing for the examination and licensing of applicants to practice chiropody and the recording of licenses issued to chiropodists; providing for annual registration; providing civil and criminal remedies and penalties for violation of the laws regulating the practice of chiropody; amending Articles 4568, 4569, 4570, 4571 and 4572 of the Revised Civil Statutes of Texas of 1925; and also amending Article 778 of the Penal Code of Texas, 1925; and amending Chapter 11, Title 12 of the Penal Code of Texas, 1925, by adding thereto a new Article, to be known as Article 778-a; and otherwise regulating and protecting public health, as dealt with in the profession of chiropody, as in the Act set out; repealing all laws and parts of laws in conflict therewith, and declaring certain legislative intent with respect to this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 180, Authorizing the State Highway Department of Texas to give to the School Board of Prairie Point Common School District No. 10 of Montague County sufficient quantities of discarded guard wire for purposes as set out.

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1130, "An Act releasing all penalty and interest accrued on ad valorem city and independent school district taxes which were delinquent on July 1, 1938, in all cities in this State having a population of not less than one hundred thousand (100,000) nor more than one hundred and twenty thousand (120,000) by the last preceding Federal Census, and in which the City Council shall by proper resolution so determine; providing

said taxes are paid on or before August 15, 1939; exempting from provisions of the Act penalties and interest on taxes which have been reduced to final judgment, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. 1126, "An Act making an appropriation of the sum of One Hundred Thousand Dollars (\$100,000.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and per diem of Members, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1079, "An Act to aid the San Jacinto River Conservation and Reclamation District embracing the Counties of Montgomery, Walker, San Jacinto, and all that part of Liberty County embraced in the San Jacinto Watershed in carrying out the powers, duties, and functions conferred upon such District by the Legislature; granting and donating to such District, with limitations, for a period of ten (10) years, fifty (50) per cent of all the State ad valorem taxes for General Revenue purposes upon the property and from persons in counties comprising in whole or in part such District, providing for reports to the Comptroller by Tax Assessor-Collectors in the various counties, and also by the Board of Directors of the District and the Treasurer of the District; providing the Act shall in no wise affect any tax donations now in effect in said District, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1040, "An Act making an appropriation of Three Thousand (\$3,000.00) Dollars, or so much thereof as may be necessary, to aid and facilitate the work to be performed by the Lower Concho River Water and Soil Conservation Authority; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said Authority, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1025, "An Act permitting the use of a net with not less than one-inch mesh for taking suckers, carp, buffalo, and shad from Bosque River, in Hamilton County; prohibiting the use of any other seine or net except a minnow seine; providing it shall be unlawful to sell or offer for sale or have in possession for the purpose of sale in Hamilton County any minnows taken from the waters of

said County; providing a penalty; repealing all conflicting laws, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 14, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 982, "An Act prescribing the means by which fish may be taken from the waters of Coryell County; making certain exceptions; prohibiting the sale of catfish taken in that county; repealing all conflicting laws; providing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

#### SENT TO THE GOVERNOR

June 14, 1939

House Bill No. 249.  
House Bill No. 387.  
House Bill No. 526.  
House Bill No. 943.  
House Bill No. 1050.  
House Bill No. 410.  
House Bill No. 1079.  
House Bill No. 1126.

**In Memory of**  
**Mrs. W. D. Farrar**

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Mr. Faulkner offered the following resolution:

H. S. R. No. 319, In memory of Mrs. W. D. Farrar.

Whereas, On the 7th day of June, 1939, there occurred a regrettable automobile accident which took the life of one of the well-known and beloved citizens of Waxahachie, Mrs. W. D. Farrar, and seriously injured her husband, Mr. W. D. Farrar; and

Whereas, Mrs. Farrar was the daughter-in-law of the late Honorable Bowd Farrar, who served terms in the Legislature; and

Whereas, The passing of Mrs. Farrar will be a distinct loss to her community. Her outstanding ability as a teacher in the Waxahachie Public Schools and in Trinity University was well known and recognized. Her pleasant disposition, her sweet smile, her eagerness to help and encourage her pupils endeared her to all. Her untiring energy, her willingness to give her time and ability to worthy causes, and her gracious personality will be long remembered by her many friends, who find their lives saddened by the loss from their midst of this lovely and charming woman; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we express to the members of the bereaved family our deep and heartfelt sympathy in the loss of their loved one, and that a copy of this resolution be sent to Mr. Farrar and his son; and, be it further

Resolved, That when the House adjourns today, it be in respect to the memory of Mrs. W. D. Farrar, and that this resolution be spread on the pages of the House Journal of today.

FAULKNER,  
JOHNSON of Ellis,  
GOODMAN.

The resolution was read second time, and was unanimously adopted.